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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,063	06/06/2001	Warren M. Farnworth	4245US (98-0288)	7843
24247	7590	12/27/2006		
TRASK BRITT P.O. BOX 2550 SALT LAKE CITY, UT 84110			EXAMINER RACHUBA, MAURINA T	
			ART UNIT	PAPER NUMBER

3723

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/27/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/875,063

Applicant(s)

FARNWORTH ET AL.

Examiner

M Rachuba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/16/06 and petition decision 9/6/06.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32, 34-66 and 68-75 is/are pending in the application.
- 4a) Of the above claim(s) 1-31, 37-65 and 71-75 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32, 34-36, 66 and 68-70 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 05 March 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of group II in Paper No. 5 is acknowledged.
2. Claims 1-31, 37-65 and 71-75 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 5.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 32, 34-36, 66 and 68-70 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claims 32 and 66 now limit the invention to sawing by laterally indexing using one of a multiple *greater than one* of a fixed and a variable interval. The specification does not limit the multiple to being greater than one. It is not clear if the invention as now claimed was at the time the application was filed in the possession of applicant, in that the invention is not that the multiple **must** be greater than one, and not a multiple of one as previously disclosed.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 32, 34-36, 66, and 68-70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wark et al, 5,809,987, in view of Akram et al, 6,006,739.

8. '987, figures 1-6 and their descriptions, discloses a method for singulating a plurality of semiconductor devices locate on a substrate, the method comprising: providing a saw having at least one blade 32 and a table (inherently holding the chuck); providing a chuck 12 having at least one cutting pedestal 34, the chuck mounted on the table, the chuck for holding the substrate during cutting thereof by the saw; providing a substrate 20 having a plurality of semiconductor devices located thereon; placing the substrate in the chuck; aligning the substrate in the chuck; supporting at least one

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semiconductor device on a portion of the chuck such that at least one of the pedestal partially supports a portion of the substrate; applying a vacuum 38 to a portion of the at least one semiconductor device supported on a portion of the at least one cutting pedestal of the chuck, thereby predisposing the portion of the at least one semiconductor device to remain in contact with the at least one cutting pedestal; and sawing at least one semiconductor device from the substrate by laterally indexing of the saw using one of a multiple-of a fixed interval and a variable interval (figure 1, showing the cutting interval). '987 also discloses supporting the plurality of semiconductor devices on a portion of the chuck, and supporting the plurality of semiconductor devices on portions of the chuck during the sawing thereof from the substrate. Regarding claims 34 and 68, it is the examiner's position that in performing the sawing of the semiconductor wafer, the plurality of devices are sawed from the substrate at substantially the same time. '987 does not explicitly disclose laterally indexing the saw using one of a multiple greater than one of a fixed and a variable interval to cut at least one other device from the substrate. '987 discloses cutting along the streets, apparently using a multiple of one. '739, column 2, lines 26-45, teaches using a multiple greater than one of a fixed and a variable interval to allow the device to cut non-uniform dice from the same wafer, using the same cutting tool. It would have been obvious to one of ordinary skill to have provided '987 with the capability of indexing the saw using a multiple greater than one of a fixed and variable interval as taught by '739, to allow the device to cut non-uniform dice from the substrate, column 2, lines 42-45.

Response to Arguments

9. Applicant's arguments with respect to claims 32, 34-36, 66, and 68-70 have been considered but are moot in view of the new ground(s) of rejection.

10. Applicant's amendment has overcome the previous rejection under 35 USC 102. However, please note the new rejections under 35 USC 112 and 103, based on the newly added limitations.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

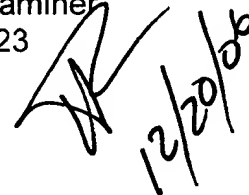
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M Rachuba whose telephone number is 571-272-4493. The examiner can normally be reached on Monday-Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M Rachuba
Primary Examiner
Art Unit 3723

Handwritten signature and date 12/20/06.